

LAW OFFICES

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November 7, 2014

Hon. Paul G. Gardephe
United States District Court
Southern District of New York
40 Foley Square, Room 2204
New York, New York 10007
(212) 805-0224
Fax: (212) 805-7986

Re: United States v. Thomas Alberto Clarke, Case No. 13-Crim-670-PGC.

Dear Judge Gardephe:

I represent the defendant, Tomas Alberto Clarke, in this case. I am writing on behalf of Mr. Clarke to request that the Court modify the conditions of bond as set forth below. The undersigned has conferred with counsel for the United States, Jason Cowley, about the relief being sought through this application made to the Court. This letter motion is filed with his consent and without objection from the United States.

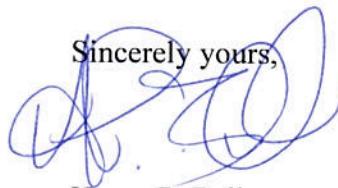
The bond granted to Mr. Clarke in this matter is co-signed by both his parents, Donilda Clarke and Thomas Clarke. Mr. Clarke's father recently passed away. The undersigned notified counsel for the United States since he was a co-signer on the bond. The parties, as a result, agreed that the bond conditions should be modified to eliminate requirement that the defendant's father, Thomas Clarke, remain a co-signer on the bond. His mother and other co-signors shall remain as co-signors.

Another bond condition is that the passports of the defendant and those of his wife and two minor daughters be held by pre-trial services while the case is pending. The defendant's wife, Evelina Clarke and her two daughters, Alexandra Clarke and Isabela Clarke, plan on traveling to Panama over the Thanksgiving holiday to visit their relatives living there. They will be traveling between the dates November 21, 2014 and November 30, 2014. Tomas Clarke, the defendant, will not be traveling with them. Alexandra Clarke's passport is about to expire and therefore must be renewed if she is to take the trip with her mother and sister. As a result, not only are we requesting that the three passports be released as outlined in this letter, but that they be ordered released as the

date the Court grants this application, if it is granted. In that way, Alexandra Clarke and her mother may renew her passport.

In sum, Mr. Clarke respectfully requests that the Court modify the conditions of bond to eliminate the requirement that his deceased father, Thomas Clarke, be a co-signor on the bond. He further requests that the Court modify the conditions of bond to release the passports of Evelina Clarke, Alexandra Clarke and Isabela Clarke. By order of the Court, those passports must be returned to United States Pretrial Services and Probation within 48 hours of their return to the United States from Panama.

Thank you for your attention to this matter.

Sincerely yours,

Henry P. Bell

Copy: AUSA, Jason Cowley
AUSA, Harry Chernoff
John Priovolos, Esq.
Nora Cruz, U.S. Pre Trial Services Officer